

Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

The Examiner indicates that the subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. In response to this, Applicants are attaching a proposed sheet of drawings for Figs. 1 and 2.

The specification has been amended, on page 2, to add a brief description of the drawings, and also to discuss the drawings under the section for BEST MODE FOR CARRYING OUT THE INVENTION.

Claims 1-7 have been cancelled in favor of new claims 8-18.

The new claims have been drafted in a manner to overcome all of the grounds for rejecting claims 1-7 under the second paragraph of 35 U.S.C. §112. In addition, in consideration of the Examiner's statement that claims 3, 4 and 7 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, and to include all of the limitations of the base claim and any intervening claims, new claims 8, 13 and 15 (the independent claims) incorporate the subject matter of claim 3.

Thus, new claim 8 corresponds to a combination of claims 1 and 3.

New claims 9-12 correspond to original claims 4, 2, 5 and 6, respectively.

New claim 13 corresponds to a combination of claim 7 in independent form, and claim 3.

New claim 14 corresponds to original claim 4.

New claim 15 is directed to a combination of a flexible tube for conveying an energy transmitting fluid and the protective sheath of new claim 8. This combination is supported by the disclosures at page 1, lines 2-4 and the sentence bridging pages 5 and 6 of the specification.

New claim 16 corresponds to claim 4.

New claim 17, which is also directed to the combination, follows the wording of claim 13.

New claim 18 corresponds to claim 4.

The abstract has also been rewritten, as set forth on the attached separate sheet, to be more consistent with the wording of new claim 8.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the rejection of claims 1-7 under 35 U.S.C. §112, as well as the rejection of claims 1, 2, 5 and 6 under 35 U.S.C. §102(b) as being anticipated by Nunez et al., have been rendered moot.

Accordingly, the application is now considered to be in condition for allowance, and such allowance is solicited.

Respectfully submitted,

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By:

A handwritten signature in black ink, appearing to read "Michael R. Davis", written over a horizontal line.

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